THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.21826 OF 2007

DATED: 12-10-2007

Between:

S.S.S. Rao

.. Petitioner

and

Andhra Pradesh State Road Transport Corporation, rep. by its Chairman and Managing Director, Mushirabad, Hyderabad and another.

.. Respondents

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.21826 OF 2007

ORDER:

This writ petition is filed seeking a mandamus declaring the action of the respondents in issuing charge sheet No.01/114(4-A)/07-PLS, dated 03.10.2007,and suspension order No.01/114(4-A)/07-PLS, dated 03.10.2007, on the petitioner, as arbitrary and illegal.

It appears, the petitioner is working as driver in A.P. State Road Transport Corporation at Palasa Depot, Srikakulam District. While so, he was issued with a charge sheet and suspended on 03.10.2007 on the ground that he used filthy language against one K.S.Narayana, A.D.C. and K.N.K.S. Prakash, Controller, in the presence of on duty Security Guard.

According to the learned counsel for the petitioner, the incident occurred when the petitioner and the said A.D.C. and Controller were not on duty, but when they are in the premises of the bus depot. The learned counsel for the petitioner states that some exchange of heat words had taken place between the parties during private conversation and suspending the petitioner for the same is unwarranted, and if the Corporation is permitted to proceed with the enquiry, it would become a practice for everybody to allege that somebody abused them and the Department to go ahead with the enquiry.

I am of the opinion that the case on hand is not one such case as

contended by the learned counsel for the petitioner. The charge is that the petitioner abused one K.S. Narayana, A.D.C. and K.N.K.S. Prakash, Controller in filthy language, in the presence of on duty Security Guard. On perusal of the charge sheet, it is clear that the incident took place in the presence of on duty Security Guard and the language used by the petitioner is very objectionable, un-parliamentary and unprintable. Therefore, I am not inclined to agree with the contention of the learned counsel for the petitioner that there was exchange of heat words when the parties were in private conversation. The writ petition is devoid of merits and is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs. However, the petitioner is permitted to submit his explanation to the charge sheet on or before 16.10.2007 and, on submitting such explanation, the respondents shall consider the same and proceed with the enquiry, if necessary, as per law.

C.V.RAMULU, J

12th October, 2007
Note:
Issue C.C. in three (3) days.
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